

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Requests by Skybridge Spectrum Foundation)	
and Telesaurus Holdings GB LLC)	
)	
For Waiver and Extension of Time to)	WT Docket No. 12-229
Construct 900 MHz Multilateration Location)	
and Monitoring Service Licenses)	
)	

To: Office of the Secretary
Attn: Chief, Wireless Telecommunications Bureau

Reply Comments

Skybridge Spectrum Foundation (“Skybridge”) and Telesaurus Holdings GB LLC (“Telesaurus”) (together, the “Licensees” or “Applicants”) hereby submit these reply comments to the IEEE Local and Metropolitan Area Networks Standards Committee (“IEEE”) and Itron, Inc. (“Itron”) comments on Licensees’ requests for waiver and extension of time to construct (the “Requests”).

First, Licensees point out that entities that are only asserting interest in using the spectrum underlying the Licensee’s M-LMS licenses on a Part 15 basis do not have any vested interest in the spectrum. The Commission has made that clear. Therefore, they do not have any legal standing to challenge the subject license applications. Their comments should be limited to comments in dockets relevant to the Part 15 uses of 902-928 MHz.

IEEE Comments

IEEE’s comments were not on Licensees’ Requests but were on Progeny's and Licensees already gave their comments as to Progeny's including in Licensees’ reply, as to others' oppositions. Thus, Licensees refer to their comments and reply comments as to Progeny's request regarding the IEEE comments.

In addition, the assertion that GPS has in some way obviated M-LMS has been thoroughly refuted by Licensees (and others) in WT Docket No. 06-49, and cannot stand up to the entry-level scrutiny by anyone with experience in the relevant technology and markets, including the US PNT (Position, Navigation, and Timing) arena and ITS area. This assertion does not even make sense since, as the Commission stated in the Order establishing the current M-LMS rules, GPS provides no communications at all. This is an irresponsible assertion by persons purporting to speak for IEEE. We doubt IEEE as an institution would support any such frivolous argument.

Itron Comments

Licensees say what they have always, repeatedly, stated in WT Docket No. 06-49 and in other dockets that they would be good neighbors to Part 15, and that M-LMS for its only authorized primary purpose, ITS (advanced vehicle location and monitoring, as meant in ITS) is largely separated in time and space from the Part 15 uses. Licensees further noted in their Requests that LTE is low power (relative to 3G, 2G, and private land mobile) and has far better built-in controls to minimize RF power at base stations and remotes, uses smart antenna systems, etc. Also, LTE has built in multilateration, further causing use of the M-LMS to be very precise and efficient, and no more RF in the areas of operation than needed for the combined radio location and communication.

Licensees look forward to cooperation with operators and part 15 systems, as specifically instructed by FCC in the relevant orders, including in the pre-deployment test phases.

There is also opportunity for current Part 15 operators and equipment manufactures to make TD-LTE for M-LMS in this nation, and in the same spectrum ranges (LTE Band 8) in other nations. ITS (higher accuracy radio location, communications, etc. for vehicle safety, flow, etc.) is a major market, only now substantially being worked out and deployed worldwide (and enabled in large part by LTE), and companies already experienced in 900 MHz ISM band radio

components, technologies, and products have a good opportunity, for their current customers and markets, and new ones.

Itron suggests terminating WT Docket No. 06-49 with so-called “prejudice”. First, there is no provision in FCC rules for deciding any rulemaking matter with “prejudice”. The Commission retains rulemaking authority, whether it commences a rulemaking itself or at the request of a party with standing. Circumstances change and may call for rulemaking in the future that was not made in the past.

With regard to this Itron termination suggestion, Licensees provide several responses.

The FCC should not open, take hundreds of comments in, and then "terminate" rulemaking proceedings. It did that in RM-10403, to which Telesaurus and others objected. It then commenced WT Docket No. 06-49 on the same bases as that for which it commenced the just terminated RM-10403 (each based on assertions by Progeny that the Commission rejected when creating the M-LMS radio service and its rules, under which Progeny [or more accurately, another entity called Progeny] bought M-LMS licenses at auction). Once the FCC has properly considered the matters in WT Docket No. 06-49, it should come to a conclusion. It cannot grant by waiver effective rule changes to Progeny, unless it makes clear that the same opportunity (waivers of that scope) are available to other M-LMS licensees. If that were the case, it would appear the FCC is simply forbearing all or many major M-LMS rules, and allowing the licensees to submit proposals.

Licensees’ main comment here is that the FCC should first study the relevant matters (the market needs for advanced ITS, current technologies, the current US PNT developments, the need for wide-area ITS wireless as opposed to only DSRC, etc. that are relevant to M-LMS)--those are all matters submitted in WT Docket No. 06-49 (and further in Licensees’ pending renewal applications), and then decide how to dispose of WT Docket No. 06-49. But the FCC cannot simply terminate it.

Respectfully,

/s/Submitted Electronically.

Warren C. Havens, as President of
Skybridge Spectrum Foundation and
Telesaurus Holdings GB LLC

Telesaurus Holdings GB LLC
2509 Stuart Street
Berkeley, CA 94705
Ph: 510-841-2220
Fx: 510-740-3412

Skybridge Spectrum Foundation
2649 Benvenue Ave.
Berkeley, CA 94704
Ph: 510-848-7797
Fx: 510-740-3412

October 2, 2012